



TLW
BOT-see

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Arnold Stamler, et al.

Serial No.: 10/663,161

Filed on: September 15, 2003

) Confirmation No.: 2828
)
) Examiner: NYA
)
) Group Art Unit No.: 2141
)

For: METHOD PROVIDING A SINGLE CONSOLE CONTROL POINT FOR A
NETWORK DEVICE CLUSTER

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Enclosed is a copy of Information Disclosure Citation Form PTO-1449 together with copies of the documents cited on that form, if needed. It is respectfully requested that the cited documents be considered and that the enclosed Information Disclosure Citation Form PTO-1449 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

Pursuant to 37 C.F.R. § 1.97, the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed as an admission that the information cited in this statement is material to patentability.

Pursuant to 37 C.F.R. § 1.97, this Information Disclosure Statement is being submitted under one of the following (as indicated by an "X" to the left of the appropriate paragraph):

- X 37 C.F.R. §1.97(b).
 37 C.F.R. §1.97(c). If so, then this Information Disclosure Statement includes one of the following:
 A statement pursuant to 37 C.F.R. §1.97(e)

_____ 1.97(e)(1) The undersigned hereby states that each item of information contained in this information disclosure statement was first cited in communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.

_____ 1.97(e)(2) The undersigned hereby states that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this information disclosure statement.

_____ A check for \$180.00 for the fee under 37 C.F.R. § 1.17(p).

_____ 37 C.F.R. §1.97(d). If so, then this Information Disclosure Statement includes the following:

_____ A statement pursuant to 37 C.F.R. §1.97(e)

_____ 1.97(e)(1) The undersigned hereby states that each item of information contained in this information disclosure statement was first cited in communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement; OR

_____ 1.97(e)(2) The undersigned hereby states that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this information disclosure statement.

AND

_____ A check for \$180.00 for the fee under 37 C.F.R. §1.17(i) for submission of the Information Disclosure Statement.

_____ 37 C.F.R. §1.97(i). Wherein applicants are submitting references before the grant of a patent to be placed in the file but not considered by the Patent office.

- (1) Accordingly, copies of the references as listed on the attached Form PTO 1449 are submitted herewith for placement in the file. No certification or fees are deemed necessary.

The Examiner's attention is directed to the following related application(s) for the following reasons (as indicated by an "X" to the left of the appropriate paragraph):

 X The Examiner is hereby notified that the following related application has been filed:

U.S. Application/ Pat. No.	File Date	Atty. Docket. No.
10/635,894	August 5, 2003	50325-0806

This related application contains one or more claims that may be substantially similar to one or more claims in the present application. Therefore, the Examiner is encouraged to reference the file history of the related application as some of the information contained therein may be material to the examination of the present application.

 The Examiner is hereby notified that the present application is related to the following related application(s):

U.S. Application/ Pat. No.	File Date	Atty. Docket. No.

The related application(s) contain(s) one or more claims that may be substantially similar to one or more claims in the present application, those claims may have been rejected in the related application(s), and a different interpretation may have been applied to one or more of the references that are of record in the present application. Therefore, the Examiner is encouraged to review the file history(ies) of the related application(s) as some of the information contained therein may be material to the examination of the present application.

 The Examiner is hereby notified that for the following related application(s) an Office Action has been received as indicated below:


U.S. Application/ Pat. No.	File Date	Office Action Mailing Date

Throughout the pendency of this application, please charge any additional fees, including any required extension of time fees, and credit all overpayments to deposit account 50-1302. A duplicate of this sheet is enclosed.

Respectfully submitted,

HICKMAN PALERMO TRUONG & BECKER LLP

Dated: August 23, 2004



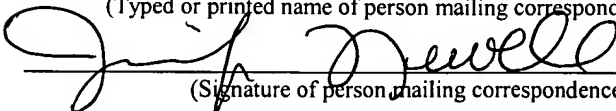
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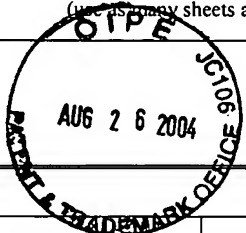
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 24, 2004
(Date of Deposit)

Jennifer Newell

(Typed or printed name of person mailing correspondence)



(Signature of person mailing correspondence)

Substitute for Form 1449A/PTO (Modified) (use as many sheets as necessary)		Attorney Docket No.: 50325-0806	Application Number: 10/635,894
		First Named Inventor: Arnold Stamler	
		Filing Date: August 5, 2003	
OTHER ART – NO PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	Translation ²
		Hewlett-Packard Company, "a conversion with NonStop TMF architect Charles Johnson article," 2002, pp. 1-4.	
		Compaq Computer Corporation, "Driving Enterprise E-Business, Compaq NonStop Himalaya Servers White Paper," 2000, pp. 1-18.	
		Gartner, Inc., "Hewlett-Packard NonStop Enterprise Server," 2003, http://www.gartner.com/gc.webletter/hp/article1/article1.html , data retrieved 3/11/04, pp. 1-9.	
		International Business Machines Corporation, "Concepts and Facilities Guide, Version 5.1," First Edition (June 2003, updated July 2003), pp. 1-168.	
		Elaine A. Krakower et al., "High Availability Network Server using HACMP/ES," e-developerEDGE, Issue, 2001, 9 pages.	
		Hewlett-Packard Company, "HP NonStop System Console (NSC) and console software suite," 2003, pp. 1-7.	
		Author unknown, "Configuring Failover," Chapter 10, pp. 10-1 – 10-38.	
		Cisco Systems, Inc., "Network Registrar User's Guide," Software Release 5.0, 2000, pp. 1-376 (text provided on CD-ROM).	
		Hewlett-Packard Company, "HP NonStop Technical Library," Data Sheet, 2004, pp. 1-7 (text provided on CD-ROM).	
		Cisco Systems, Inc., "Network Registrar User's Guide," Software Release 5.5, 2000, pp. 1-350 (text provided on CD-ROM).	

Examiner Signature	Date Considered
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*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

¹Unique citation designation number. ²Applicant is to place a check mark here if English language Translation is attached.

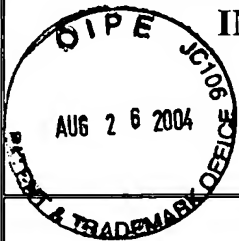
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(PTO-1449)

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10/663,161

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